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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,  
Presiding Officer

PUBLIC SAFETY COMMITTEE

DENNIS DUNNE, Chairman

1550 Franklin Avenue  
Mineola, New York

Monday, March 30, 2015  
2:39 P.M

1

2     A P P E A R A N C E S :

3

4         DENNIS DUNNE ,  
           Chairman5         DONALD MACKENZIE ,  
           Vice Chairman

6

VINCENT MUSCARELLA

7

DENISE FORD

8

9         LAURA CURRAN ,  
           Ranking

10        KEVAN ABRAHAMS

11        SIELA A. BYNOE

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LIST OF SPEAKERS

GREG STEPHANOFF, Sergeant,  
Nassau County Police Department.....5,10  
KEITH SATHER, Nassau County  
Correctional Center.....7  
TIMOTHY HAHN, Medical Examiner's Office...11  
JOHN PRIEST, Assistant Chief,  
Fire Marshal's Office.....12  
BOB MCMANUS, Nassau County  
District Attorney's Office.....17

## Public Safety Committee/3-30-15

2                   LEGISLATOR ABRAHAMS: We have a  
3 new list of committee assignments, so I'm on  
4 Public Safety now.

5                   CHAIRMAN DUNNE: You were on  
6 Public Safety to begin with as well as Laura  
7 Curran. So Legislator Bynoe, not Legislator  
8 Jacobs. Thank you for clarifying that.

9                   I'm going to call the Public  
10 Safety Committee to order. I will act as  
11 the clerk and call the roll. Legislator  
12 Bynoe is present. Legislator Kevan Abrahams  
13 is here. Legislator Laura Curran?

14                  LEGISLATOR CURRAN: Here.

15                  CHAIRMAN DUNNE: Legislator  
16 Denise Ford?

17                  LEGISLATOR FORD: Here.

18                  CHAIRMAN DUNNE: Legislator  
19 Vincent Muscarella?

20                  LEGISLATOR MUSCARELLA: Here.

21                  CHAIRMAN DUNNE: Vice Chair  
22 Legislator Donald MacKenzie?

23                  LEGISLATOR MACKENZIE: Here.

24                  CHAIRMAN DUNNE: And I'm here as  
25 Chairman. We have a quorum. The first item

## Public Safety Committee/3-30-15

2 to come before this committee is Item 97-15,  
3 a resolution authorizing the County  
4 Executive to execute an intermunicipal  
5 agreement with the County of Westchester,  
6 Department of Laboratories and Research to  
7 perform trace evidence examination for the  
8 County of Nassau, Medical Examiner's Office.

9 LEGISLATOR MACKENZIE: So moved.

10 LEGISLATOR FORD: Second.

11 CHAIRMAN DUNNE: Motion by  
12 MacKenzie, seconded by Denise Ford.

13 SERGEANT STEPHANOFF: Good  
14 afternoon. Sergeant Greg Stephanoff from  
15 the police department. This contract is  
16 with Westchester County to perform trace  
17 evidence analysis for Nassau County for  
18 \$15,000. Trace analysis could be hair  
19 fiber, footprint, paint chips, just to name  
20 a few, and they are going to take this  
21 analysis in cases and analyze it for us to  
22 help us solve cases.

23 CHAIRMAN DUNNE: It's a low  
24 costing contract, that's because our lab is  
25 going to be able to do this soon, is that

## Public Safety Committee/3-30-15

2     what the reason is?

3                   SERGEANT STEPHANOFF:   I got in  
4     touch with the ME's office.  They are going  
5     to -- I don't know when they are going to  
6     pick up this part of it, but the next part  
7     that they're going to pick up is chemical  
8     and controlled substance, which is a more  
9     costly contract that we have now.  So  
10    they're going to pick up that later on this  
11    year.  They're working on all the  
12    disciplines.

13                  CHAIRMAN DUNNE:   Any time frame  
14    on when we are going to be finally a full  
15    blown lab?

16                  SERGEANT STEPHANOFF:   I can find  
17    out about this.  They don't have a time  
18    frame for trace analysis.  It is a small  
19    part.  We don't send that much out.

20                  CHAIRMAN DUNNE:   Any other  
21    questions from any other legislators?

22                               (No verbal response.)

23                               Is there any public comment?

24                               (No verbal response.)

25                               There being none, all those in

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2 favor indicate by saying aye.

3 (Aye.)

4 Any against?

5 (No verbal response.)

6 That passes on to finance.

7 The next item is Item 108-15, an  
8 ordinance supplemental to the annual  
9 appropriations ordinance in connection with  
10 the Correctional Center.

11 May I have a motion, please?

12 LEGISLATOR MACKENZIE: So moved.

13 LEGISLATOR MUSCARELLA: Second.

14 CHAIRMAN DUNNE: Motion by  
15 MacKenzie, seconded by Muscarella. Who is  
16 here to speak about this?

17 CAPTAIN SATHER: Captain Keith  
18 Sather, Correctional Center. Item 108 is a  
19 supplemental appropriation in the amount of  
20 \$80,639. This represents the department's  
21 share of federal forfeiture money. Money is  
22 used for law enforcement equipment and  
23 training.

24 CHAIRMAN DUNNE: Anything  
25 specific or just general?

## Public Safety Committee/3-30-15

2 CAPTAIN SATHER: General. It  
3 could be anything from new vehicles for our  
4 K9 units, equipment, cert training.

5 CHAIRMAN DUNNE: Any questions  
6 from any legislators? Legislator Denise  
7 Ford.

8 LEGISLATOR FORD: When you look  
9 at any type of equipment that you can  
10 purchase through this or any type of  
11 training, do you reach out to the union  
12 leadership to see if there is anything that  
13 you can work with them on, like something  
14 they need, something specific?

15 CAPTAIN SATHER: You have to  
16 understand that working within the  
17 purchasing department I take my direction  
18 from the sheriff. Any requests from the  
19 union would be made through the sheriff and  
20 then the sheriff would direct me to spend  
21 these monies.

22 LEGISLATOR FORD: So in case  
23 there is something special that they want,  
24 they can reach out to the sheriff and then  
25 hopefully he would be able to convey that to



## Public Safety Committee/3-30-15

2     you, correct, and then if you can do within  
3     the purchase, within the confines of what  
4     you have, you would be able to do it, right?

5                 CAPTAIN SATHER:   Correct.   As  
6     long as it falls within the guidelines of  
7     how we can spend that money and I've been  
8     directed to spend it that way, of course.

9                 CHAIRMAN DUNNE:   Any legislators  
10    have any other questions?

11                (No verbal response.)

12                Is there any public comment?

13                (No verbal response.)

14                There being none, all those in  
15    favor indicate by saying aye.

16                (Aye.)

17                Any against?

18                (No verbal response.)

19                Passes and goes on to Finance.

20                The next item is 109-15, an  
21    ordinance supplemental to the annual  
22    appropriations ordinance in connection with  
23    the Police Department.

24                LEGISLATOR MACKENZIE:   So moved.

25                LEGISLATOR FORD:    Second.

## Public Safety Committee/3-30-15

2 CHAIRMAN DUNNE: Motion by  
3 Legislator MacKenzie, seconded by Legislator  
4 Ford.

5 SERGEANT STEPHANOFF: Good  
6 afternoon, Sergeant Greg Stephanoff again  
7 from the Police Department. This item  
8 appropriates \$40,881.37 of court ordered  
9 restitution that's paid to the department,  
10 and the money will be appropriated back to  
11 narcotics for further cases.

12 CHAIRMAN DUNNE: Any legislators  
13 have any questions?

14 (No verbal response.)

15 Is there any public comment?

16 (No verbal response.)

17 There being none, all those in  
18 favor indicate by saying aye.

19 (Aye.)

20 Any against?

21 (No verbal response.)

22 Passes on to the Finance  
23 Committee.

24 The next item is Item 110-15,  
25 it's an ordinance supplemental to the annual

## Public Safety Committee/3-30-15

2 appropriations ordinance in connection with  
3 the Department of Toxicology, the Medical  
4 Examiner.

5 LEGISLATOR MACKENZIE: So moved.

6 LEGISLATOR MUSCARELLA: Second.

7 CHAIRMAN DUNNE: Motion by  
8 MacKenzie, seconded by Muscarella. We have?

9 MR. HAHN: Timothy Hahn from the  
10 Medical Examiner. This is a grant in the  
11 amount of \$2,202. It is a federal pass  
12 through grant from New York State. It is  
13 used to support the laboratory's  
14 accreditation and to reduce case back log in  
15 the toxicology department.

16 CHAIRMAN DUNNE: Any legislators  
17 have any questions?

18 (No verbal response.)

19 Is there any public comment?

20 (No verbal response.)

21 There being none, all those in  
22 favor indicate by saying aye.

23 (Aye.)

24 Any against?

25 (No verbal response.)

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2 Passes on to the Finance  
3 Committee.

4 CHAIRMAN DUNNE: The next item is  
5 Item 115-15, an ordinance amending Article  
6 22 of the Ordinance Number 56-1962, as  
7 amended, constituting the Nassau County Fire  
8 Prevention Ordinance and making certain  
9 determinations pursuant to the State  
10 Environmental Quality Review Act

11 LEGISLATOR MACKENZIE: So moved.

12 LEGISLATOR MUSCARELLA: Second.

13 CHAIRMAN DUNNE: Motion by  
14 MacKenzie, seconded by Muscarella. Who is  
15 here to speak on this?

16 ASSISTANT CHIEF PRIEST: Good  
17 afternoon, legislators. John Priest,  
18 assistant chief of Nassau County Fire  
19 Marshal's Office. The document in front of  
20 you, the staff summary, is fairly  
21 self-explanatory. It is to increase certain  
22 fees. Article 22 is our fee schedule. It  
23 is to increase certain fees for various  
24 tests and plan review. Some of these fees  
25 which have not been raised since 2007.

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2 CHAIRMAN DUNNE: Any questions  
3 from any of the legislators?

4 LEGISLATOR ABRAHAMS: Are any of  
5 these fees applicable to residents?

6 ASSISTANT CHIEF PRIEST: No, sir.  
7 This would all be contractors, businesses,  
8 doing construction work and installing new  
9 systems.

10 LEGISLATOR ABRAHAMS: Thank you.

11 CHAIRMAN DUNNE: Legislator Ford.

12 LEGISLATOR FORD: You said some  
13 of the fees have not been raised since 2007.  
14 Are any of these fees, have they been raised  
15 in recent years, such as 2012?

16 ASSISTANT CHIEF PRIEST: The vast  
17 majority were 2007. There is a group that  
18 was 2011.

19 LEGISLATOR FORD: Do you know the  
20 percentage?

21 ASSISTANT CHIEF PRIEST: 75  
22 percent 2007.

23 LEGISLATOR FORD: But 25 percent  
24 2011?

25 ASSISTANT CHIEF PRIEST: That's

## Public Safety Committee/3-30-15

2 correct.

3 LEGISLATOR FORD: Would we know  
4 which ones were?

5 ASSISTANT CHIEF PRIEST: The 25  
6 percent with regard to plan review. And  
7 that percentage is direct to manpower doing  
8 the plan review.

9 LEGISLATOR FORD: That would be  
10 then in the course of the job, like they  
11 would do the inspections, then review the  
12 plans submitted a contractor?

13 ASSISTANT CHIEF PRIEST: The  
14 contractor submits plans for the work, comes  
15 into our office, gets assigned to a  
16 reviewer, et cetera.

17 LEGISLATOR FORD: But now the  
18 increase, is that if it was during an eight  
19 to five day, what about the fees when people  
20 want to have it expedited? They end up  
21 paying more to expedite it.

22 ASSISTANT CHIEF PRIEST: Both of  
23 the fees are on the table. There is a flat  
24 fee for any plan to get reviewed. And there  
25 is an optional fee if a contractor decides

## Public Safety Committee/3-30-15

2 they want it expedited and we have to get it  
3 done within 10 business days.

4 LEGISLATOR FORD: Thank you very  
5 much.

6 CHAIRMAN DUNNE: Any other  
7 questions from any other legislators?  
8 Legislator Bynoe.

9 LEGISLATOR BYNOE: Is the same  
10 fee structure going to be imposed on small  
11 businesses, I'm sorry, not-for-profit  
12 organizations and day care centers?

13 ASSISTANT CHIEF PRIEST: There  
14 are certain -- and I would have to go back  
15 to check, based on the definition of not for  
16 profit, there are certain fee exempt  
17 locations throughout the county that  
18 obviously this would not affect.

19 But, again, it's also only, let  
20 us say, a not for profit or a day care  
21 center is already in business and running.  
22 These fees are only for actions that they  
23 might take to remodel, to expand, et cetera.  
24 They are voluntary at some point, not the  
25 fee, but the decision to do the work. It's

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2 nothing that's required.

3 LEGISLATOR BYNOE: Thank you.

4 CHAIRMAN DUNNE: Just one thing  
5 from me, one comment from me. I was asked  
6 to mention that, is there going to be an  
7 attitude check with this increase in fees  
8 from the fire marshals? I understand on the  
9 north shore that they have a tremendous  
10 attitude when they go into people's  
11 businesses and they act really tough as  
12 nails and maybe it's no nonsense but it  
13 comes across real bad to the public.

14 ASSISTANT CHIEF PRIEST: Please,  
15 if you have anything specific, contact me  
16 and let's talk about it. If there are any  
17 complaints that are to be made, I want to  
18 know about it. So does Chief Tusa.

19 CHAIRMAN DUNNE: Any other  
20 questions from any other legislators?

21 (No verbal response.)

22 Is there any public comment?

23 (No verbal response.)

24 There being none, all those in  
25 favor indicate by saying aye.



## Public Safety Committee/3-30-15

2 (Aye.)

3 Any against?

4 (Nay.)

5 Three nays? Still passes and  
6 goes on to Finance, 4 to 3.

7 The last item for today with our  
8 committee is Item 125-15, a resolution  
9 authorizing the County Executive to execute  
10 a grant agreement between the County of  
11 Nassau on behalf of the District Attorney's  
12 Office with MADD, Long Island, New York.

13 LEGISLATOR MACKENZIE: So moved.

14 LEGISLATOR FORD: Second.

15 CHAIRMAN DUNNE: Motion by  
16 MacKenzie, seconded by Denise Ford. And we  
17 have the District Attorney's Office here.

18 MR. MCMANUS: Yes. Bob McManus,  
19 District Attorney's Office. This item is a  
20 grant agreement for the District Attorney's  
21 Office to provide funding for Mother's  
22 Against Drunk Driving of Long Island in the  
23 amount of \$30,000 in federal forfeiture  
24 funds to help increase awareness regarding  
25 the issue of drunk driving.

## Public Safety Committee/3-30-15

2                   The funding will be used for a  
3     direct mail campaign and media advertising  
4     and this is something that we have been  
5     doing on an annual basis now for  
6     approximately ten years.

7                   CHAIRMAN DUNNE:   Sometimes I hear  
8     it as Mother's Against Destructive  
9     Decisions; is that the same group?

10                  MR. MCMANUS:   It would be the  
11     same group.

12                  CHAIRMAN DUNNE:   Are there any  
13     questions from any legislators?

14                         (No verbal response.)

15                         Is there any public comment?

16                         (No verbal response.)

17                         There being none, all those in  
18     favor indicate by saying aye.

19                         (Aye.)

20                         Any nays?

21                         (No verbal response.)

22                         Passes unanimously and goes on to  
23     Finance.   Do I have a motion?

24                         LEGISLATOR FORD:   So moved.

25                         CHAIRMAN DUNNE:   From Denise Ford

## Public Safety Committee/3-30-15

2 to adjourn.

3 LEGISLATOR MACKENZIE: Second.

4 CHAIRMAN DUNNE: Seconded by  
5 MacKenzie. All those in favor indicate by  
6 saying aye.

7 (Aye.)

8 We are now adjourned.

9 (Whereupon, the Public Safety  
10 Committee adjourned at 2:53 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and  
Notary Public in and for the State of New  
York, do hereby stated:

THAT I attended at the time and place  
above mentioned and took stenographic record  
of the proceedings in the above-entitled  
matter;

THAT the foregoing transcript is a true  
and accurate transcript of the same and the  
whole thereof, according to the best of my  
ability and belief.

IN WITNESS WHEREOF, I have hereunto set  
my hand this \_\_\_\_\_ day of \_\_\_\_\_,  
2015.

-----  
FRANK GRAY